



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Van Dyke, et al.

Serial No.: 09/899,372

Filed: July 2, 2001

For: SOLUBLE KERATIN PEPTIDE

Group Art Unit: 1615

Examiner: KISIS A D GHALI

Atty. Dkt. No.: KER020/4-005CON

Confirmation No. 3035

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**MAIL STOP RCE**

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Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

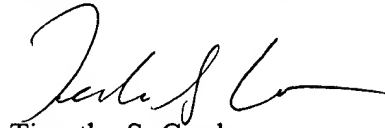
construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed after three months of the filing of the present application and after the receipt of a first Official Action on the merits but before receipt of a Final Office Action UNDER 37 C.F.R. §1.113, or a Notice of Allowance under 37 C.F.R. §1.311. The Commissioner is hereby authorized to charge the fee as set forth in 37 C.F.R. § 1.17(p) (\$180.00) for submission of an Information Disclosure Statement, as indicated on the enclosed Credit Card Payment Form. If the referenced authorization is inadvertently omitted or deficient, or should an overpayment be included herein, the Commissioner is authorized to appropriately deduct or credit the requisite amount from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/KER020/4-005CON/58002.

#### **REMARKS**

Applicant would like to inform the Examiner of a pending state court litigation between real parties of interest in the present application, and that involves breach of contract and theft of trade secret issues. The case is CAUSE NO. 2002-CI-09879 in the District Court of Bexar County, Texas, 285<sup>th</sup> Judicial District, *Keraplast Technologies, Ltd. v. Southwest Research Institute and Mark E. Van Dyke*.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy S. Corder", with a long horizontal flourish extending to the right.

Timothy S. Corder

Reg. No. 38,414

Agent for Applicant

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Date: July 21, 2003

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

Docket Number (Optional)

**KER020/4-005CON**

Application Number

**09/899,372**

Applicant(s)

**Mark E. Van Dyke, et al.**

Filing Date

**July 2, 2001**

Group Art Unit

**1615**

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A130	922,692	05//25/09	Thermoplastic keratin composition			
	A131	926,999	07/06/09	Process of producing digestible substances from keratin			
	A132	960,914	06/07/10	Pills for the treatment of diabetes mellitus			
	A133	3,642,498	02/15/72	Method of preparing keratin-containing films and coatings	99	166	
	A134	4,423,032	12/27/83	Hair treatments	424	70	
	A135	4,495,173	01/22/85	Pre-shampoo type hair treatment composition	424	70	
	A136	4,570,629	02/18/86	Hydrophilic biopolymeric copolyelectrolytes, and biodegradable wound dressing comprising same	128	156	
	A137	4,751,074	06/14/88	Hair rinse composition	424	70	
	A138	4,895,722	01/23/90	Hair treatments	424	71	
	A139	5,047,249	09/10/91	Compositions and methods for treating skin conditions and promoting wound healing	424	543	

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
	B1	Rothman, et al., "Wound healing promoting compositions containing film-forming proteins," PCT Int. Appl., 46 pp., Abstract						
	B2	Koga, et al., "Wound dressing materials from treated animal fibers," Eur. Pat. Appl., 6 pp., Abstract						
	B3	Wallace, et al., "Fragmented polymeric hydrogels for adhesion prevention and their preparation," PCT Int. Appl., 54 pp., Abstract						
	B4	Ichikawa, et al., "Manufacture of keratin films," <i>Jpn. Kokai Tokkyo Koho</i> , 3 pp., Patent No. JP 04091138, Abstract						

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	C8	Thomas et al., "Isolation of microfibrillar proteins of wool in disulfide form," <i>Melliand Textiberichte</i> , 65(3):20809, 1984					
	C9	van de Löcht, "Reconstitution of microfibrils from wool and filaments from epidermis proteins," <i>Melliand Textiberichte</i> , 10:780-6, 1987					

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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		Docket Number (Optional)	Application Number
		KER020/4-012CON	09/8025013
		Applicant(s)	
		Mark E. Van Dyke, et al.	
		Filing Date	Group Art Unit
		March 8, 2001	373
*EXAMINER INITIALS OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	C10	Yoshioka et al., "Cosmetic base," unexamined Japanese Patent Application No. 3-223207, October 2, 1994	
	C11	Yoshioka et al., "Water-soluble hair dressing agent," unexamined Japanese Patent Application No. 8-157342, June 18, 1996	
	C12	Hyuku et al., "Novel amino acid silicone polymer, production thereof, cosmetic particles surface treated with the polymer, and cosmetic containing said particles," unexamined Japanese Patent Application No. 2001-114647, April 24, 2001	
	C13	Ito et al., "Biocompatibility of denatured wool keratin," 39:4, 249-256, April 1982	
	C14	Yamauchi, "The development of keratin: characteristics of polymer films," <i>Fragrance J</i> , 21(5), 62-7, 1993	
	C15	Sauk et al, "Reconstitution of cytokeratin filaments in vitro: further evidence for the role of nonhelical peptides in filament assembly," <i>The Journal of Cell Biology</i> , 99, 1590-1597, November 1984	
	C16	Weber et al., "The structural relation between intermediate filament proteins in living cells and the $\alpha$ -keratins of sheep wool," <i>The EMBO Journal</i> , 1:10, 1155-1160, 1982	
	C17	Hanukoglu et al., "The cDNA sequence of a human epidermal keratin: divergence of sequence but conservation of structure among intermediate filament proteins," <i>Cell</i> , 31, 243-252, November 1982	
	C18	Fraser et al., "Intermediate filaments in $\alpha$ -keratins," <i>Proc. Natl. Acad. Sci. USA</i> , 83, 1179-1183, March 1986	
	C19	Jones, "Studies on microfibrils from $\alpha$ -keratin," <i>Biochimica et Biophysica Acta</i> , 446, 515-524, Received April 5th, 1976	
	C20	Zackroff, et al., "In vitro assembly of intermediate filaments from baby hamster kidney (BHK-21) cells," <i>Proc. Natl. Acad. Sci. USA</i> , 76:12, 6226-6230, December 1979	
	C21	Mack, et al., "Solid-state NMR studies of the dynamics and structure of mouse keratin intermediate filaments," <i>Biochemistry</i> , 27, 5418-5426, 1988	
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		KER020/4-012CON		09/802,179	
		Applicant(s)		Mark E. Van Dyke, et al.	
Filing Date		March 8, 2001		Group Art Unit 3738	
<p>*EXAMINER INITIAL</p> <p align="center"><b>RECEIVED</b> JUL 25 2003</p>					
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)					
	C22	Skerrow, et al., "Epidermal $\alpha$ -keratin is neutral-buffer-soluble and forms intermediate filaments under physiological conditions in vitro," <i>Biochimica et Biophysica Acta</i> , 915, 125-131, 1987			
	C23	Kvedar, et al., "Cytokeratins of the bovine hoof: classification and studies on expression," <i>Biochimica et Biophysica Acta</i> , 884, 462-473, 1986			
	C24	Moll, et al., "The catalog of human cytokeratins: patterns of expression in normal epithelia, tumors and cultured cells," <i>Cell</i> , 31, 11-24, November 1982			
	C25	Iwatsuki, et al., "Comparative studies on naturally occurring antikeratin antibodies in human sera," <i>The Journal of Investigative Dermatology</i> , 87:2, 179-184, August 1986			
	C26	Lambré, et al., "An enzyme immunoassay for auto-antibodies to keratin in normal human serum and in pleural fluids from patients with various malignant or non-malignant lung diseases," <i>J. Clin. Lab. Immunol.</i> , 20, 171-176, 1986			
	C27	Stokes, et al., "Passage of water and electrolytes through natural and artificial keratin membranes," <i>Desalination</i> , 42, 321-328, 1982			
	C28	Dedeurwaerder, et al., "Selective extraction of a protein fraction from wool keratin," <i>Nature</i> , 265, 48-49 and 274-276, January 20, 1977			
	C29	Brunner, et al., "Fractionation of tyrosine-rich proteins from oxidized wool by ion-exchange chromatography and preparative electrophoresis," <i>Eur. J. Biochem.</i> , 32, 350-355, 1973			
	C30	Mies, et al., "Chromatographic and electrophoretic investigations of the properties of unprotected low-sulphur wool kerateins," <i>Journal of Chromatography</i> , 405, 365-370, 1987			
	C31	Katsuumi, et al., "Two-dimensional electrophoretic analysis of human hair keratins, especially hair matrix proteins," <i>Arch. Dermatol Res.</i> , 281, 495-501, 1989			
	C32	Horn, et al., "Relative molecular masses of reduced wool keratin polypeptides," <i>Biochem Soc Trans</i> , 14, 333-334, 1986			
	C33	Harrap, et al., "Species differences in the proteins of feathers," <i>Comp. Biochem. Physiol.</i> , 20, 449-460, 1967			
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<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		Docket Number (Optional)	Application Number
		KER020/4-012CON	09/802,113
		Applicant(s) Mark E. Van Dyke, et al.	
Filing Date		Group A or B	
March 8, 2001			
*EXAMINER INITIAL _____ OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) _____			
C34	Harrap, et al., "Soluble derivatives of feather keratin," <i>Biochem. J.</i> , 92, 8-18, 1964		
C35	Yoshimizu, et al., " <sup>13</sup> C CP/MAS NMR study of the conformation of stretched or heated low-sulfur keratin protein films," <i>Macromolecules</i> , 24, 862-866, 1991		
C36	Schaller, et al., "Membranes prepared from keratin-polyacrylonitrile graft copolymers," <i>Journal of Applied Polymer Science</i> , 25, 783-794, 1980		
C37	Weiss, et al., "The use of monoclonal antibody to keratin in human epidermal disease: alterations in immunohistochemical staining pattern," <i>The Journal of Investigative Dermatology</i> , 81, 224-230, 1983		
C38	Starger, et al., "Biochemical and immunological analysis of rapidly purified 10-nm filaments from baby hamster kidney (BHK-21) cells," <i>J. Cell Biology</i> , 78, 93-109, 1978		
C39	Noishiki, et al., "Application of denatured wool keratin derivatives to an antithrombogenic biomaterial—vascular graft coated with a heparinized keratin derivative—," <i>Inst. Thermal Spring Res. Okayama Univ.</i> , 39:4, 221-227, 1982		
C40	Valherie, "Chemical modifications of keratins. Application to the preparation of biomaterials and study of their physical, physicochemical and biological properties," Ph.D. Thesis presented to the National Institute of Applied Sciences of Lyon, 1992		
C41	Dale, "Keratin and other coatings for pills," <i>Pharm. J.</i> , 129, 494-495, 1932, Abstract		
C42	Schrooyen, et al., "Biodegradable films from selectively modified feather keratin dispersions," <i>Polymer Preprints (American Chemical Society, Division of Polymer Chemistry)</i> , 39(2), 160, 1998, Abstract		
C43	Schrooyen, et al., "Polymer films from chicken feather keratin," Book of Abstracts, 216th ACS National Meeting, Boston, August 23-27, 1998, Abstract		
C44	Kikkawa, et al., "Solubilization of keratin. 6. Solubilization of feather keratin by oxidation with performic acid," <i>Hikaku Kagaku</i> , 20(3), 151-162, 1974, Abstract		
C45	Matsunaga, et al., "Studies on the chemical property of human hair keratin. Part 1. Fractionation and amino acid composition of human hair keratin solubilized by performic acid oxidation," <i>Hikaku Kagaku</i> , 27(1), 21-29, 1981, Abstract		
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Group Art Unit <b>3738</b>		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
*EXAMINER INITIAL	C46	Noishiki, et al., "Application of denatured wool keratin derivatives to an antithrombogenic biomaterial. Vascular graft coated with a heparinized keratin derivative," <i>Kobunshi Ronbunshu</i> , 39(4), 221-227, 1982, Abstract	
	C47	Ito, et al., "Biocompatibility of denatured keratins from wool," <i>Kobunshi Ronbunshu</i> , 39(4), 249-256, 1982, Abstract	
	C48	Gillespie, et al., "Amino acid composition of a sulphur-rich protein from wool," <i>Biochimica et Biophysica Acta</i> , 39, 538-539, 1960	
	C49	Gough, et al., "Amino acid sequences of $\alpha$ -helical segments from S-carboxymethylkerateine-A. Complete sequence of a type-I segment," <i>Biochem. J.</i> , 173, 373-385, 1978	
	C50	Elleman, et al., "Amino acid sequences of $\alpha$ -helical segments from S-carboxymethylkerateine-A. Statistical analysis," <i>Biochem. J.</i> , 173, 387-391, 1978	
	C51	Hogg, et al., "Amino acid sequences of $\alpha$ -helical segments from S-carboxymethylkerateine-A. Tryptic and chymotryptic peptides from a type-II segment," <i>Biochem. J.</i> , 173, 353-363, 1978	
	C52	Earland, et al., "Studies on the structure of keratin. II. The amino acid content of fractions isolated from oxidized wool," <i>Biochimica et Biophysica Acta</i> , 22, 405-411, 1956	
	C53	Crewther, et al., "Amino acid sequences of $\alpha$ -helical segments from S-carboxymethylkerateine-A. Complete sequence of a type-II segment," <i>Biochem. J.</i> , 173, 365-371, 1978	
	C54	Fraser, et al., "Microscopic observations of the alkaline-thioglycollate extraction of wool," <i>Biochimica et Biophysica Acta</i> , 22, 484-485, 1953	
	C55	Gillespie, et al., "Preparation of an electrophoretically homogeneous keratin derivative from wool," <i>Biochimica et Biophysica Acta</i> , 12, 481-483, 1953	
	C56	Blagrove, et al., "The electrophoresis of the high-tyrosine proteins of keratins on cellulose acetate strips," <i>Comp. Biochem. Physiol.</i> , 50B, 571-572, 1975	
	C57	Frenkel, et al., "The isolation and properties of a tyrosine-rich protein from wool: component 0.62," <i>Eur. J. Biochem.</i> , 34, 112-119, 1973	
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*EXAMINER INITIAL <b>TECH CENTER 1600/2900</b> <b>RECEIVED JUL 25 2003</b> OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	C58	Marshall, et al., "Successful isoelectric focusing of wool low-sulphur proteins," <i>Journal of Chromatography</i> , 172, 351-356, 1979	
	C59	Marshall, "Characterization of the proteins of human hair and nail by electrophoresis," <i>The Journal of Investigative Dermatology</i> , 80:6, 519-524, 1983	
	C60	Lindley, et al., "Occurrence of the cys-cys sequence in keratins," <i>J. Mol. Biol.</i> , 30, 63-67, 1967	
	C61	Marshall, "Genetic variation in the proteins of human nail," <i>The Journal of Investigative Dermatology</i> , 75:3, 264-269, 1980	
	C62	Goddard, et al., "A study on keratin," <i>J. Bio. Chem.</i> , 106, 605-614, 1934	
	C63	Dowling, et al., "Isolation of components from the low-sulphur proteins of wool by fractional precipitation," <i>Preparative Biochemistry</i> , 4(3), 203-226, 1974	
	C64	Crewther, et al., "Reduction of S-carboxymethylcysteine and methionine with sodium in liquid ammonia," <i>Biochimica et Biophysica Acta</i> , 194, 606-609, 1969	
	C65	Gillespie, "The isolation from wool of a readily extractable protein of low sulphur content," <i>Biochimica et Biophysica Acta</i> , 27, 225-226, 1958	
	C66	Lindley, et al., "The reactivity of the disulphide bonds of wool," <i>Biochem. J.</i> , 139, 515-523, 1974	
	C67	Mitsui, et al., "Genes for a range of growth factors and cyclin-dependent kinase inhibitors are expressed by isolated human hair follicles," <i>British Journal of Dermatology</i> , 137(5), 693-698, 1997, Abstract	
	C68	Schörnig, et al., "Synthesis of nerve growth factor mRNA in cultures of developing mouse whisker pad, a peripheral target tissue of sensory trigeminal neurons," <i>The Journal of Cell Biology</i> , 120:6, 1471-1479, 1993	
	C69	Filshie, et al., "The fine structure of $\alpha$ -keratin," <i>J. Mol. Biol.</i> , 3, 784-786, 1961	
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*EXAMINER INITIAL			
C70		Filshie, et al., "An electron microscope study of the fine structure of feather keratin," <i>The Journal of Cell Biology</i> , 13, 1-12, 1962	
C71		Crewther, et al., "Low-sulfur proteins from $\alpha$ -keratins. Interrelationships between their amino acid compositions, $\alpha$ -helix contents, and the supercontraction of the parent keratin," <i>Biopolymers</i> , 4, 905-916, 1966	
C72		Bhatnagar, et al., "The conformation of the high-sulphur proteins of wool. I. The preparation and properties of a water-soluble metakeratin," <i>Int. J. Protein Research I</i> , 199-212, 1969	
C73		Crewther, et al., "The preparation and properties of a helix-rich fraction obtained by partial proteolysis of low sulfur S-carboxymethylkerateine from wool," <i>The Journal of Biological Chemistry</i> , 242:19, 4310-4319, 1967	
C74		Parry, et al., "Structure of $\alpha$ -keratin: structural implication of the amino acid sequences of the type I and type II chain segments," <i>J. Mol. Biol.</i> , 113, 449-454, 1977	
C75		Suzuki, et al., "X-ray diffraction and infrared studies of an $\alpha$ -helical fragment from $\alpha$ -keratin," <i>J. Mol. Biol.</i> , 73, 275-278, 1973	
C76		Bhatnagar, et al., "The conformation of the high-sulphur proteins of wool. II. Difference spectra of kerateine-B," <i>Int. J. Protein Research I</i> , 213-219, 1969	
C77		Steinert, et al., "In vitro studies on the synthesis of guinea pig hair keratin proteins," <i>Biochimica et Biophysica Acta</i> , 312, 403-412, 1973	
C78		Rogers, "Some observations on the proteins of the inner root sheath cells of hair follicles," <i>Biochimica et Biophysica Acta</i> , 29, 33-42, 1958	
C79		Tachibana, et al., "Fabrication of wool keratin sponge scaffolds for long-term cell cultivation," <i>Journal of Biotechnology</i> , 93, 165-170, 2002	
C80		Gillespie, "Proteins rich in glycine and tyrosine from keratins," <i>Comp. Biochem. Physiol.</i> , 41B, 723-734, 1972	
C81		Fraser, et al., "Tyrosine-rich proteins in keratins," <i>Comp. Biochem. Physiol.</i> , 44B, 943-947, 1973	
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*EXAMINER INITIAL	CITATION		
C94	Gillespie, et al., "A comparison of the proteins of normal and trichothiodystrophic human hair," <i>The Journal of Investigative Dermatology</i> , 80, 195-202, 1983		
C95	Gillespie, et al., "Changes in the proteins of wool following treatment of sheep with epidermal growth factor," <i>The Journal of Investigative Dermatology</i> , 79:3, 197-200, 1982		
C95	Gillespie, et al., "Changes in the matrix proteins of wool and mouse hair following the administration of depilatory compounds," <i>Aust. J. Biol. Sci.</i> , 33, 125-136, 1980		
C97	Darskus, et al., "Breed and species differences in the hair proteins of four genera of caprini," <i>Aust. J. Biol. Sci.</i> , 24, 515-524, 1971		
C98	Kemp, et al., "Differentiation of avian keratinocytes. Characterization and relationships of the keratin proteins of adult and embryonic feathers and scales," <i>Biochemistry</i> , 11:6, 969-975, 1972		
C99	Gillespie, et al., "The diversity of keratins," <i>Comp. Biochem. Physiol.</i> , 47B, 339-346, 1974		
C100	Fraser, et al., "Wool structure and biosynthesis," <i>Nature</i> , 261, 650-654, 1976		
C101	Stenn, et al., editors, "The molecular and structural biology of hair," <i>Annals of the New York Academy of Sciences</i> , Volume 642, Title Page - 31, 1991		
C102	Reis, et al., "The utilization of abomasal supplements of proteins and amino acids by sheep with special reference to wool growth," <i>Aust. J. Biol. Sci.</i> , 25, 1057-1071, 1972		
C103	Broad, et al., "The influence of sulphur-containing amino acids on the biosynthesis of high-sulphur wool proteins," <i>Aust. J. Biol. Sci.</i> , 23, 149-164, 1970		
C104	Reis, "The influence of dietary protein and methionine on the sulphur content and growth rate of wool in milk-fed lambs," <i>Aust. J. Biol. Sci.</i> , 23, 193-200, 1970		
C105	Downes, et al., "Metabolic fate of parenterally administered sulphur-containing amino acids in sheep and effects on growth and composition of wool," <i>Aust. J. Biol. Sci.</i> , 23, 1077-1088, 1970		
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<b>INFORMATION DISCLOSURE CHART</b> (Use several sheets if necessary)		Docket Number (Optional) <b>KER020/4-012CON</b>	Application Number <b>09/802,113</b>
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*EXAMINER INITIAL		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	C106	Reis, "The growth and composition of wool. IV. The differential response of growth and of sulphur content of wool to the level of sulphur-containing amino acids given per abomasum," <i>Aust. J. Biol. Sci.</i> , 20, 809-825, 1967	
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